

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SAN JUAN CONSTRUCTION, INC.,	)	
	)	No. 3:15-mc-05002-KLS
Plaintiff/Judgment Creditor,	)	
	)	
v.	)	ORDER FOR JUDGMENT
	)	DEBTOR EXAMINATION OF
UPPER HUDSON NATIONAL INSURANCE	)	UPPER HUDSON NATIONAL
GROUP,	)	INSURANCE GROUP
	)	
Defendant/Judgment Debtor.	)	

Having considered Plaintiff San Juan Construction, Inc.'s Motion for Judgment Debtor Examination of a Corporate Designee of Upper Hudson National Insurance Group, and the Declaration of John C. Theiss and good cause appearing,

IT IS HEREBY ORDERED that a Corporate Designee of Judgment Debtor/Defendant Upper Hudson National Insurance Group appear in Courtroom F at the United States District Court for the Western District of Washington, located at 1717 Pacific Avenue, Tacoma, Washington, on the **6<sup>th</sup> day of March, 2015, at 10:00 a.m.** to be sworn in for a Judgment Debtor Examination.

IT IS FURTHER ORDERED that a Corporate Designee of Defendant/Judgment Debtor Upper Hudson National Insurance Group, appear in Courtroom F at the United States District Court for the Western District of Washington, located at 1717 Pacific Avenue, Tacoma, Washington, on the **6<sup>th</sup> day of March, 2015, at 10:00 a.m.** and answer concerning property subject to the ownership and control of Upper Hudson National Insurance Group.

1 IT IS FURTHER ORDERED that the Corporate Designee of Upper Hudson National  
2 Insurance Group bring with him the following documents under his control or under the control  
3 of his agents, attorneys, or accountants:

4 1. All financial statements prepared for or on behalf of Judgment Debtor within the  
5 past four years. This includes, but is not limited to, all balance sheets, income statements,  
6 statements of profit and loss, and statements of cash flow.

7 2. All financial statements for any business owned, wholly or partially, by  
8 Judgment Debtor in the past four years. This includes, but is not limited to, all balance sheets,  
9 income statements, statements of profit and loss, and statements of cash flow.

10 3. All records of accounts receivable, notes receivable, contracts, or indebtedness  
11 owed to Judgment Debtor.

12 4. All records of stocks, bonds, securities, notes, contracts, bank accounts, or  
13 brokerage accounts in which Judgment Debtor has an interest. Judgment Debtor will produce  
14 records of bonds and indemnity agreements in which (1) Upper Hudson has actually outlaid  
15 expenses or losses, and for which it can pursue reimbursement at this time or (2) Upper  
16 Hudson has not yet had any expenses or losses but where it does have actual notice of a claim.

17 5. All records of any items which Judgment Debtor has pledged as security for a  
18 debt or in which Judgment Debtor has an interest.

19 6. All records of any legal claims in which Judgment Debtor has an interest.

20 7. All records of any rights, benefits, or options Judgment Debtor owns in any  
21 property, real or personal.

22 8. Records of all intellectual property Judgment Debtor owns, including, but not  
23 limited to, patents, trademarks, and copyrights.

24 9. Records of all personal property Judgment Debtor owns worth in excess of  
25 \$1,000 (collectively for any category), including, but not limited to, equipment, inventory,  
26 machinery, tools, art, furnishings, carpets, recreational equipment, electronic equipment, boats,  
27 motor vehicles, aircraft, jewelry, and collectives. This includes, but is not limited to, records

(including title and registration documents) related to: recreational equipment, boats, and motor vehicles.

10. All records of any transfer of anything of value that Judgment Debtor has made to any affiliate or associate, including but not limited to, officers, directors, shareholders, or family members in the past four years.

11. All records of any trust Judgment Debtor has created for the benefit of another in the past four years.

12. All records of any savings or checking account, certificates of deposit, postal savings accounts, safe-deposit boxes, or brokerage accounts that Judgment Debtor maintains at any financial institution, wherever located.

13. All records of any annuities of which Judgment Debtor is a beneficiary.

14. All records of any life insurance policies of which Judgment Debtor is the owner.

15. All records evidencing an ownership interest by Judgment Debtor in any business, venture, or enterprise during the past five years, including but not limited to sole proprietorships, corporations, and partnerships.

16. Any records of all real property, including any vendee's interest in real property that Judgment Debtor owns.

17. All records of Judgment Debtor's rental income from any real estate it owns.

18. All records of Judgment Debtor's rental income from any real estate it leases.

19. All of Judgment Debtor's income tax returns filed in the past three years.

### **NOTICE TO THE JUDGMENT DEBTOR**

**IF YOU FAIL TO APPEAR AT THE TIME AND PLACE SPECIFIED IN THIS ORDER, YOU MAY BE SUBJECT TO ARREST AND PUNISHMENT FOR CONTEMPT OF COURT AND THE COURT MAY MAKE AN ORDER REQUIRING**

1 **YOU TO PAY REASONABLE ATTORNEY'S FEES INCURRED BY THE**  
2 **JUDGMENT CREDITOR IN THIS PROCEEDING.**

3 DATED this 9<sup>th</sup> day of February, 2015.

4 

5 Karen L. Strombom  
6 United States Magistrate Judge

7  
8 Presented by:

9  
10 s/John C. Theiss

11 John C. Theiss, WSBA#24488  
12 1201 Third Avenue, Suite 2200  
13 Seattle, Washington 98101  
14 Telephone: (206) 757-8154  
15 Facsimile: (206) 757-7154  
16 Email: johntheiss@dwt.com

17 DAVIS WRIGHT TREMAINE LLP  
18 Attorney for San Juan Construction, Inc.  
19  
20  
21  
22  
23  
24  
25  
26  
27